

**GOVERNMENT OF THE VIRGIN ISLANDS  
OF THE  
UNITED STATES**

**PUBLIC SERVICES COMMISSION**

**IN RE:**

**RELEASE OF ESCROW FUNDS  
FOR BILLING DISPUTES  
RELATED TO THE WATER  
AND POWER AUTHORITY**

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**Docket No. 609  
Order No. 25/2012**

**ORDER**

**WHEREAS**, pursuant to the PSC's enabling statutes codified in Title 30 of the Virgin Islands Code, and based upon the Rules and Regulations of the Water and Power Authority (hereinafter "WAPA" or "Authority"), it was the practice and policy of the PSC to oversee the settlement of customer disputes for billing and service issues; and

**WHEREAS**, pending resolution of such disputes, the Commission required rate payers to pay to the Authority the amount of their bill that was not contested, and deposit the disputed balance in an escrow account established by the PSC; and

**WHEREAS**, on March 26, 2012, in the case of *PSC v. the Virgin Islands Water and Power Authority*, Supreme Court Civil No. 2001-0010, the Virgin Islands Supreme Court held that the Virgin Islands Public Services Commission (hereinafter "Commission" or "PSC") lacked jurisdiction to resolve billing complaints between the Authority and its customers; and

**WHEREAS**, on May 8, 2012, the Commission met in Regular Session at the Commission's Conference Room located at 1003 Estate Ross/Barbel Plaza, Suite #4, St. Thomas, Virgin Islands; and

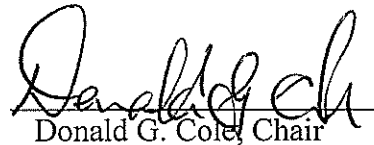
**WHEREAS**, in order to comply with the Supreme Court's March 26, 2012, decision, the Commission voted to return all funds held in escrow relating to billing and service disputes between the Authority and its customers, to the customers it had collected said funds; and

**NOW THEREFORE**, it is hereby **ORDERED** that the Commission will return all funds held in escrow that relate to billing and service disputes between the Authority and its customers, to the customer it had collected said funds.

*So Ordered.*

For Commission

Dated: June 18, 2012

  
Donald G. Cole, Chair